

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

EMILIO ROMERO,	:	JURY TRIAL DEMANDED
Plaintiff	:	
	:	NO: 3:19-CV-01038-JFS
	:	
vs.	:	
	:	
TOBYHANNA TOWNSHIP, PA;	:	
MOUNT POCONO BOROUGH;	:	
COOLBAUGH TOWNSHIP;	:	
BARRETT TOWNSHIP;	:	
CHIEF OF POLICE CHRIS WAGNER;	:	
DETECTIVE LUCAS BRAY;	:	
DETECTIVE MARK WEBBE, &	:	
ASSISTANT DISTRICT ATTORNEY;	:	
MICHAEL RACKACZEWSKI;	:	

RESPONSE OF PLAINTIFF TO DEFENDANT'S STATEMENT OF FACTS

The Plaintiff, Emilio Romero, files the following Response to
Defendant's Statement of Facts at (ECF No. 65).

1. Admitted upon information and belief.
2. Admitted upon information and belief.
3. Denied, Plaintiff made no recordings of consensual sex.
4. Admitted upon information and belief.
5. Admitted upon information and belief.
6. Admitted upon information and belief.

7. Admitted upon information and belief.
8. Admitted upon information and belief.
9. Admitted upon information and belief.
10. Admitted upon information and belief.
11. Admitted upon information and belief.
12. Admitted upon information and belief.
13. Admitted upon information and belief.
14. Denied. Plaintiff does not have personal knowledge of these allegations.
15. Admitted upon information and belief.
16. Admitted upon information and belief.
17. Admitted upon information and belief.
18. Denied.
19. Denied. Plaintiff does not have personal knowledge of these allegations.
20. Admitted upon information and belief.
21. Admitted upon information and belief.
22. Admitted upon information and belief.
23. Admitted upon information and belief.
24. Admitted upon information and belief.
25. Admitted upon information and belief.
26. Admitted upon information and belief.

27. Admitted upon information and belief.
28. Denied. Plaintiff does not have personal knowledge of these allegations.
29. Admitted upon information and belief.
30. Admitted upon information and belief.
31. Admitted upon information and belief.
32. Admitted upon information and belief.
33. Admitted upon information and belief.
34. Admitted upon information and belief.
35. Admitted upon information and belief.
36. Denied. Plaintiff does not have personal knowledge of these allegations.
37. Denied. Plaintiff did not rape Erika Jones, but did film them having consensual sex.
38. Admitted upon information and belief.
39. Denied. The video depicted consensual sex, as determined by a jury of Plaintiff's peers.
40. Admitted upon information and belief, though they were role playing.
41. Admitted upon information and belief, though this was an act to get him arrested.
42. Admitted upon information and belief.
43. Admitted upon information and belief.
44. Admitted upon information and belief.
45. Admitted upon information and belief.

46. Admitted upon information and belief.
47. Admitted upon information and belief.
48. Admitted upon information and belief.
49. Admitted upon information and belief.
50. Admitted upon information and belief.
51. Admitted upon information and belief.
52. Admitted upon information and belief.
53. Admitted upon information and belief.
54. Admitted upon information and belief.
55. Admitted upon information and belief.
56. Admitted upon information and belief.
57. Admitted upon information and belief.
58. Admitted upon information and belief.
59. Denied. Defendant Rackaczewski played a videotaped recording of Plaintiff and Erika Jones having consensual sex.
60. Admitted upon information and belief.
61. Admitted upon information and belief.
62. Admitted upon information and belief.
63. Admitted upon information and belief.,
64. Admitted upon information and belief.

- 65. Denied, Plaintiff never alleged in his complaint that the Defendants are all racists.
- 66. Admitted upon information and belief.
- 67. Admitted upon information and belief.
- 68. Denied, Plaintiff has no personal knowledge of these allegations.

Dated: February 17, 2021

Respectfully submitted:

/s/ Earl Raynor
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